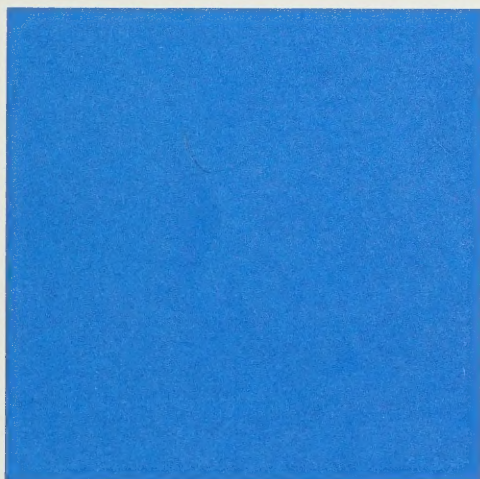
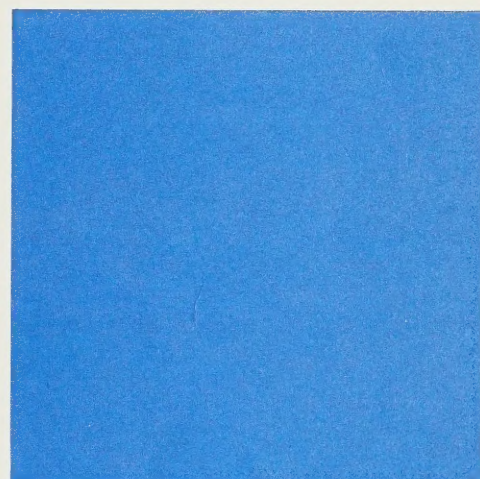
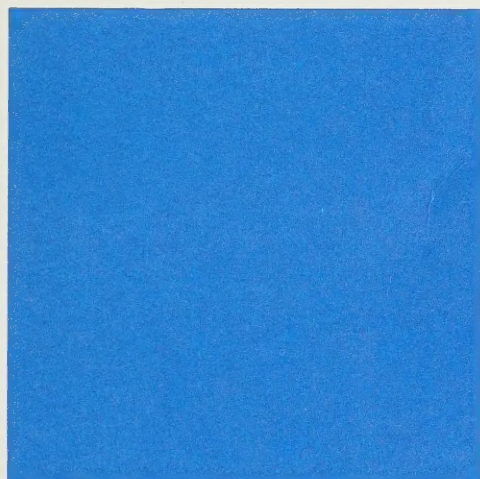
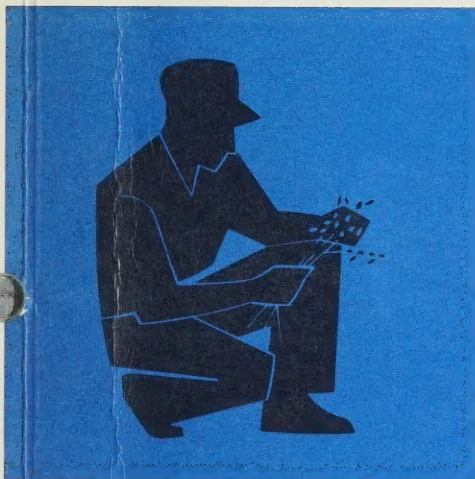
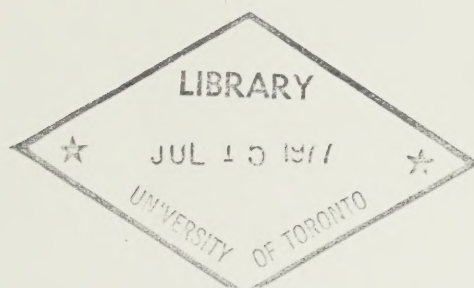


Provincial agricultural legislation up to 1977

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**PROVINCIAL AGRICULTURAL LEGISLATION
UP TO 1977**

ONTARIO

A.R. Jones

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ABSTRACT

This is one of a series of handbooks published by Agriculture Canada to provide interested persons with essential information about the laws of the government of Ontario that pertain to agriculture. Companion publications cover legislation enacted by the other provincial governments and by the federal government. A related series summarizes policies and programs for agriculture administered by the provincial and federal governments.

This text is based on the Revised Statutes of Ontario, 1970, and amendments up to December 1976. It replaces the summary published in 1975.

Legislation is grouped in these categories: Administration, Land, Finance, Production, Marketing, Agricultural Societies, Professions and Education, and Co-operatives. The main provisions of each act are described in condensed form. The foreword to the handbook makes it clear that the information contained in it is for reference only and has no legal status.

FOREWORD

This publication provides summaries of the laws affecting agriculture enacted by the province of Ontario. It is based on the Statutes of Ontario, 1970, and on subsequent amendments up to December, 1976.

This text is to be used solely for information and reference. Some of the original acts are spelled out in great detail; others merely sketch in the central purpose of the legislation. Therefore the task of making a brief and accurate synopsis of each act is a hazardous one, and the reader is cautioned that these summaries have no legal value. When a legal opinion is required, the original statutes must be consulted.

The compiling of this information was done by A.R. (Jerry) Jones, economist. Appreciation is extended to assistant deputy ministers and directors of the Ontario Ministry of Agriculture and Food for reviewing the legislation.

Other handbooks in this series published by Agriculture Canada contain similar condensations of agricultural legislation enacted by the other provincial governments and by the federal government. A related series covers policies and programs for agriculture administered by the provincial and federal governments. These may be obtained from the Information Division of Agriculture Canada.

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I. ADMINISTRATION

THE MINISTRY OF AGRICULTURE AND FOOD ACT, R.S.O. 1970, C. 109; Amendments: S.O. 1972, c.1, 82 and 135.

Administered by the Ministry of Agriculture and Food.

Vests control of the Ministry in the Minister and provides for programs to encourage agriculture to be established.

The Minister is charged with the direction and control of the administration of the law relating to agriculture and food in all branches and the administration of appropriations under the Ministry, and must perform any additional functions and duties assigned to him by the Lieutenant Governor in Council.

The Lieutenant Governor in Council may establish programs for the encouragement of any branch of agriculture or food, and may determine the conditions under which the services are provided by the Ministry and expenses allowed or advances payable. He may guarantee the payment of loans and interest made to farmers; define the purposes for which application may be made by farmers for any such loan; limit the amount of any individual loan to which the guarantee shall apply; and define the farmer class to which any such loan may be made.

The Act also provides for grants, appointment and remuneration of employees, and submission of an annual report to the Lieutenant Governor in Council.

II. LAND

1. Development, Conservation and Drainage

AGRICULTURAL TILE DRAINAGE INSTALLATION ACT, S.O. 1972, c. 38.

Ministry of Agriculture and Food.

Provides for the regulation and licensing of tile drainage installation operators.

The Act requires that the installers of a drainage work and the operators of machines used in installing a drainage work be licenced, and that the licence be attached to and exposed on the machine. A person who installs drainage on agricultural land owned or occupied by himself is exempt from this provision.

The Agricultural Tile Drainage Licence Review Board is established.

The director may refuse to renew or may suspend or revoke a licence if, after a hearing, he is of the opinion that any provision of this Act or the regulations have been contravened. An applicant or a licensee has the right to appeal to the Board. The decision of the director is effective until the appeal is disposed of.

The Lieutenant Governor in Council may make regulations prescribing standards and procedures for the installation of drainage works, and prescribing performance standards for machines used in installing drainage works. He may make regulations prescribing the qualifications of each class of machine operators; providing for courses of instruction and examinations and requiring licence-holders or applicants for a licence under this Act to attend such courses and pass such examinations; respecting licensing and any other matter necessary or advisable to carry out effectively the purposes of this Act.

CONSERVATION AUTHORITIES ACT, R.S.O. 1970, c. 78; A.S.O. 1971, c. 64; 1972, c. 1; 1973, c. 98.

Minister of Natural Resources.

Grants the conservation authority certain statutory powers to enter on land, to expropriate, and to enter into agreements to carry out its projects.

For the purposes of accomplishing its objectives, the conservation authority has statutory power to enter into and upon any land and survey and make such tests as the Authority considers necessary. It has power to acquire by purchase, lease or otherwise and to expropriate any land that it may require.

Subject to the approval of the Lieutenant Governor in Council, the Authority may sell, lease or otherwise dispose of land acquired; enter into agreements with owners of private lands; and generally do all such acts as are necessary for the due carrying out of any project. Under Section 30 the Expropriations Act applies where land is expropriated by an Authority, or where land is injuriously affected by an Authority in the exercise of a statutory power.

DRAINAGE ACT, S.O. 1975, c. 79.

Minister of Agriculture and Food.

Provides for municipally-constructed drainage works, support by the Province, and for assessment and recovery of certain costs by the municipality.

Requisition drains will not be constructed if the cost of such work will exceed \$7,500. The assessment area is to include the land lying within 2,500 feet from the sides of the drainage works and 2,500 feet from the upstream point of commencement of the works. After receipt of the engineer's preliminary report, a drainage works initiated by a requisition can be changed to the petition procedure if the requirements for a petition can be satisfied at the time.

A majority of the property owners in the area requiring drainage, or the owners of at least 60 percent of the acreage in the area requiring drainage, represent a valid petition. The Minister or a local municipality may obtain a benefit-cost statement in respect of a drainage work. Provision is made for on-site meetings between the engineer, the property owners and public utilities affected.

Lands, roads or structures that are increased in value as a result of drainage works may be assessed for benefits.

A contractor may enter upon whatever lands are necessary to complete the work within the working space designated in the engineer's report. A land-owner may appeal to the Ontario Drainage Tribunal if dissatisfied with the quality of the construction of a drainage works.

Provincial grants may be used to pay costs incurred by municipalities in the employment of a drainage superintendent, and the cost of preparing a preliminary report. Maintenance and repairs undertaken on the recommendation of the drainage superintendent will be eligible for provincial grants. Grants may be made in respect of lands owned by Ontario and leased for agricultural purposes to a lessee with an option to purchase. The Minister may reduce or withhold a grant if he believes the costs, other than the contract price, are excessive.

FIRE GUARDIANS ACT, R.S.O. 1970, c. 171.

Administered by the Ministry of Treasury, Economics and Intergovernmental Affairs.

Limits the time during which combustible materials may be burned.

A township council may, by by-law, provide that the period April 1 to October 31 be one within which no person, without having first obtained permission from a fire guardian, shall set out fire or set fire to any brush heap or other combustible material in any field or place where the fire would be likely to spread.

PUBLIC LANDS ACT, R.S.O. 1970, c. 380; A.S.O. 1 1971, c. 46; 1972, c. 4 and c. 29; 1975, c.65.

Minister of Natural Resources.

The provisions of this Act of importance to agriculture pertain to the sale and lease of crown land for agricultural purposes.

The power necessary to acquire, sell, lease and manage public lands is vested in the Ministry of Natural Resources under this Act.

A Public Agricultural Lands Committee is authorized. Its functions are to recommend to the Minister areas of land that are suitable for sale or lease for agricultural purposes, with measures for their development; and to consider applications to acquire land for agricultural purposes. The Minister has the power to decide the disposition of such lands, the prices or rentals and the terms and conditions.

SETTLER'S PULPWOOD PROTECTION ACT, R.S.O. 1970, c. 432.

Minister of Natural Resources.

Provides authority for making regulations protecting a settler's pulpwood.

The Lieutenant Governor in Council may make regulations governing the sale and supply to any company of the pulpwood cut by any settler or cut from his lands; fixing the kinds and qualities of pulpwood that may be purchased by any company within a period; fixing the prices to be paid by any company to any settler for pulpwood cut on a settler's land; and controlling the method of measuring the pulpwood.

The Minister of Natural Resources, or any officer on his instructions, may investigate the prices received and the terms and conditions with respect to the sale, disposal, or transfer of pulpwood cut on settler's land.

TILE DRAINAGE ACT 1971, S.O. 1971, c. 37; 1975, c. 80.

Minister of Agriculture and Food.

Provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario.

Under this Act, and subject to Sections 64 and 65 of the Ontario Municipal Board Act, the council of a municipality may pass by-laws authorizing the borrowing of money from the Treasurer of Ontario for the purpose of lending the money for the construction of drainage works.

The Act describes how an owner of agricultural land may borrow money for the purpose of constructing a drainage work on his land. The terms on which council may lend money are specified, as well as the time period over which the principal and interest are collected from the land owner. The council of a municipality borrowing money under this Act is required to employ an inspector of drainage to insure satisfactory completion of the work.

Under the 1975 amendment, provision is made for an appeal to the Ontario Drainage Tribunal where an application to borrow money has been refused for the amount applied for.

Where the land is no longer used for agriculture, the balance of the loan becomes due and payable and the monies collected are to be applied towards the payment of the debentures of the municipality or the district or regional municipality.

The Minister may make loans to persons in territories without municipal organization. Such loans will constitute a lien upon the estate of interests of the owners of the land. Where a loan is repaid, the monies received are to be applied towards payment of the debentures of the municipality or district or regional municipality.

VACANT LAND CULTIVATION ACT, R.S.O. 1970, c. 476.

Minister of Treasury, Economics and Intergovernmental Affairs.

Empowers municipalities to grant permits to cultivate vacant land and set terms and conditions.

Through by-laws, the councils of local municipalities may grant permits to cultivate vacant land on such terms and conditions as may be considered proper, and may regulate and control the use of such land by the holder of a permit. If the council revokes a permit because the land is immediately required by the owner for building or manufacturing or other revenue-producing purposes, then compensation may be paid. The amounts of compensation are specified.

2. Tenure and Assessment

ABSCONDING DEBTORS ACT, R.S.O. 1970, c. 2.

Attorney General.

Provides a mechanism for seizing the property of a resident in Ontario who absconds with intent to defraud his creditors or to avoid being arrested or served with process.

A judge of the Supreme Court may make an order for attachment of the defendant's property upon affidavit alleging indebtedness of \$100. together with supporting material evidencing the debtor as absconded. The order, which remains in force for six months, enables the plaintiff to have a sheriff attach the property of the defendant. Of special interest to agricultural authority is section 8, which enables the sheriff to have livestock appraised and sold at public auction after six days notice of sale.

ASSESSMENT ACT, R.S.O. 1970, c. 32; A.S.O. 1971, c. 79 and c. 98; 1972, c. 125, 1, 111, and 161; 1973, c. 26 and c. 148; 1974, c. 41.

Minister of Revenue.

Certain provisions of this Act are of importance to agriculture since they set down how farm land used for farming is to be assessed, and also exempt certain real properties from assessment.

All real property in Ontario is liable to assessment and taxation, subject to certain exemptions. The property of every agricultural or horticultural society or association, to the extent of its use for the purposes of the institution or society, is exempt from assessment and taxation. This also applies to all machinery and equipment used for farming purposes. A farm, market garden, nursery, or fur farm is not liable to business assessment in respect of such land.

Farm lands used for farming must be assessed on their market value when used for this purpose. In determining this value considerations are not to be given to the sales of farm lands and buildings to persons whose principal occupation is not farming.

An application to the Assessment Review for the cancellation, reduction or refund of taxes may be made by any person in respect of a building that was razed by fire, demolition or otherwise; or whose taxes are unduly burdensome by reason of an increase resulting from a different assessment generally of lands within the municipality.

EXECUTION ACT, R.S.O. 1970, c. 152; 1974, c. 84.

The Attorney General.

Provides for exemptions from seizure of certain possessions of an agricultural producer.

In the case of a person engaged solely in farming, the livestock, tools and implements and other chattels ordinarily used by the debtor in his business, not exceeding \$5,000 in value, are exempt from legal seizure. Also exempt are his seed requirements and the feed and bedding required for the livestock that are exempt under the Act. The Act also exempts from seizure the wearing apparel of the debtor and his family up to the value of \$1,000, and household furniture, utensils, equipment, food and fuel up to a maximum of \$2,000.

The Act contains a number of provisions specifying how seizures are to be made and the proceeds paid.

EXPROPRIATIONS ACT, R.S.O. 1970, c. 154; A.S.O. 1971, c. 12; 1972, cc.1 and 24; 1975, c. 19.

The Attorney General.

Provides general machinery for giving notice to affected persons of an intended expropriation and for the holding of inquiries where the taker has to justify the taking. Provides for senior consideration of the proposed taking, and machinery for transferring title, either permanently or temporarily.

Under the 1975 amendment the Land Compensation Board may arbitrate compensation where the owner of land consents to the acquisition.

Many specific acts set up different rules; therefore anyone affected by an expropriation should check both the Expropriation Act and other relevant acts that may concern them. EG: For example, the Ontario Energy Board or the Drainage Act might be the source of the expropriation.

The basis for compensation is not always the same in the different acts. While the Expropriation Act provides for compensation based on market value, damages for disturbance, injurious affection and special relocation difficulties, these terms are often the subject of much argument involving sales between “willing buyers” and “willing sellers”. If no agreement is reached, the expropriating authority can offer compensation, and the owner can ask for negotiation or arbitration. If formal negotiation fails, then the matter ends in arbitration before the Land Compensation Board, with a further right of appeal to the Court of Appeal. Provision is made for the award of costs, and interest of six percent.

Note: When property is expropriated, many people with valuable interests are often affected. It would therefore be unwise for anyone to rely on this general synopsis of an Act which is full of technical steps and critical time limits.

LANDLORD AND TENANT ACT, R.S.O. 1970, c. 236; Amendments: 1972, c. 123.

Attorney General.

Sections 43 to 47 of this Act are relevant to agriculture, since they cover goods and chattels liable to be held for arrears of rent.

Growing crops, grain and hay held in storage, and any cattle or other livestock belonging to the demised premises can be seized. However, livestock are not to be seized if there are other chattels sufficient to satisfy the demand. The Council of a municipality may be by-law establish a Landlord and Tenant Advisory Bureau.

Other provisions deal with the landlord’s right of re-entry on non-payment of rent, forfeiture of leases, sale of goods seized and proceedings against tenants who stay beyond the time limits. set.

LAND TITLES ACT, R.S.O. 1970, c. 234; Amendments: S.O. 1972, c.1 and 132; 1973, c.39.

Minister of Consumer and Commercial Relations.

This Act deals with the methods of entry of land, register of title, the registration of part owners and of leasehold land, how registration is to be effected, the transfer and charge of registered land, the liability of registered land to easement and certain other rights.

An assurance fund, known as the Land Titles Assurance Fund, may be formed for the indemnity of persons who are wrongly deprived of land or some estate or interest therein as a result of the land being brought under this Act, or of some other person being registered as owner through fraud, or because of other omissions or errors.

LINE FENCES ACT, R.S.O. 1970, c. 248.

Minister of the Treasury, Economics and Intergovernmental Affairs.

Prescribes the duties of owners of adjoining land regarding line fences, and establishes the mechanics whereby disputes between owners can be handled.

Owners of adjoining occupied lands must make, keep up, and repair a just portion of the fence that marks the boundary between them, or if there is no fence, they must make, keep up and repair the same proportion of the fence to mark such a boundary.

When disputes between owners arise, fence-viewers can be called in to examine the premises and, if required by either party, can hear evidence and examine the parties and their witnesses under oath. The factors that must be considered in any award of the fence-viewers, and the procedures to be followed to enforce the award, are outlined in the Act. Where a tree is thrown down across a

line fence and there is a dispute between parties, the fence-viewers have the power to decide disputes. The manner of appeals is covered.

MUNICIPAL ACT, R.S.O. 1970, c. 284; Amendments: S.O. 1971, cc.81 and 98; 1972, c.121, 124, 169; 1973, c.83 and 175; 1974, c.3; c.85 and c.136; 1975, c.8 and c.56.

Minister of the Treasury, Economics and Intergovernmental Affairs.

Four sections of this Act are of importance to agricultural authority. These provide authority for the collection of farm organization dues, for making grants, and for acquiring land for development purposes.

By-laws may be passed by township councils providing for grants to the Ontario Federation of Agriculture (if a by-law under Section 306 is not in force in the township), and to farm organizations or agriculture commodity groups.

Sections 336 and 337 give authority to Improvement Districts to acquire and hold land within their districts for development purposes; to survey, clear, grade and subdivide such land; to undertake on such land any work, project, scheme or act of a kind that may be undertaken by a municipality. These also have the authority to sell, lease, or otherwise dispose of such land, and to borrow money for any of these purposes.

Under Section 376 of this Act the annual dues of members of any farm organization approved by the Minister of Agriculture and Food may be entered in the tax collector's roll and collected in the same manner as taxes. Their dues do not form a charge upon land and are not subject to a penalty for non-payment. A member may discontinue the payment of dues by notifying the clerk of the township in writing. The 1975 amendment enables municipalities to levy taxes on agricultural research stations.

PETTY TRESPASS ACT, R.S.O. 1970, c. 347.

The Attorney General.

Provides the law regarding trespass.

This Act provides penalties for a person who unlawfully trespasses upon another person's land, when he has had notice by word of mouth, or in writing, or by posters not to trespass.

The Act does not apply to cases where the title to land or to any interest therein is called in question or affected, nor to a case where the person trespassing acted under a fair and reasonable supposition that he had the right to do so.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT, R.S.O. 1970, c. 201. Amendments: S.O. 1971, c. 61; 1973, c.20 and 67; 1974, c. 100.

Minister of Transportation and Communications.

The Sections of this Act relevant to agriculture concern the exercise of the power to use land for improvement purposes, and payment for damages or compensation by the Ministry of Transportation and Communications.

Under Section 4 the Minister of Highways or any person authorized by him may, without the consent of the owner, enter upon and use any land; alter any feature of any land; construct and use roads on, to or from a land; or place upon or remove from any land any substance or structure, for any purpose under Part I of this Act.

Claims for damages or compensation from exercise of power under Section 4 apply only where the exercise of such power does not result in expropriation to which the Expropriation Act applies. The determination of compensation is by the Ontario Municipal Board and the Ontario Municipal Board Act.

Under the Act the Minister may pay a bonus for planting trees on land adjoining the King's Highway, pay for the removal or construction of fences, pay compensation for the removal of obstructions, and pay damages for the effects of snow fences.

The Act also specifies the penalties for allowing livestock to run on the King's Highway.

QUIETING TITLES ACT, R.S.O. 1970, c. 396; Amendment: S.O. 1972, c. 49.

Attorney General.

Provides the rules and procedure whereby owners in fee simple may obtain judicial investigation of title to establish its validity and determine whether it is subject to any change or encumbrance.

An owner of an estate in fee simple in land or a trustee for the sale of the fee simple is entitled to have his title judicially investigated and its validity ascertained and declared, whether he has the legal estate or not, and whether or not his title is subject to a charge or encumbrance. Any other person who has an estate or an interest in land may also apply for a judicial investigation of the title and a declaration of its validity.

The Act also prescribes the form of application and to whom made, how it should be supported, the evidence on which the judge may proceed, verification, exceptions and qualifications to every claim of title. It also covers certificates obtained by fraud, the appointment of inspectors and referees and their powers, and the appointment of a Rules Committee and their power under this Act.

REGISTRY ACT, R.S.O. 1970, c. 409. Amendments: S.O. 1971, c.50 and 98; 1972, c.1 and 133; 1973, c. 120.

Minister of Consumer and Commercial Relations.

Provides for the establishment of Land Registry Offices in the Province and for the registration of instruments affecting land.

Documents and records are to be maintained on land transferred, disposed of, charged, encumbered or affected in any other way. Upon request and for a prescribed fee, a Registrar must produce for inspection any instrument registered in his office or any book relating to such implement. Certified copies can be obtained from the Registrar of any instrument or statement of facts deposited, registered, or filed and kept in his office.

The manner of registration, instruments that may be registered, and the effect of registration are specified.

SNOW ROADS AND FENCES ACT, R.S.O. 1970, c. 440.

Minister of the Treasury, Economics and Intergovernmental Affairs.

Provides authority for specified actions by municipal councils.

Councils of any municipality may erect snow fences upon land lying along any public highway. The Council can require owners or occupants to alter or remove any fence that impedes or disrupts traffic. Provisions exist for paying compensation, for arbitration and for fines for non-compliance with this Act.

III. FINANCE

1. Farm Credit

AGRICULTURAL REHABILITATION AND DEVELOPMENT ACT (ONTARIO), R.S.O. 1970, c. 12.

Minister of Agriculture and Food.

Provides for Federal-Provincial cost sharing and co-operation in programs concerning land use, rural employment, conservation and related matters.

The Agricultural Rehabilitation and Development Directorate of Ontario is continued as a body corporate responsible to the Minister.

The Minister may, with the approval of the Lieutenant Governor in Council, enter into an agreement with Canada for efficient use and economic development of lands; for development of income and employment opportunities and improving standards of living in rural areas; for development and conservation of water supplies and soil improvement and conservation; and for programs of research and investigation.

The Act specifies the provisions to be included in the agreements and empowers the Lieutenant Governor in Council to make regulations respecting any matter necessary or advisable for carrying out the intent of this Act. The powers of the Directorate are outlined. The power to delegate and to borrow money and issue securities is described, as are other powers.

FARM LOANS ACT, R.S.O. 1970, c. 158. (ACT IS DORMANT).

Minister of Treasury, Economics and Intergovernmental Affairs.

Provides authority for the establishment and assistance in funding of Farm Loan Associations. Membership eligibility criteria, loan and time limits are specified.

A Farm Loan Association may be formed for the purpose of loaning money under this Act in any part of Ontario described in the certificate of incorporation.

The object of an association incorporated under this Act is to promote individual prosperity and agricultural development by securing for members short-term loans for current expenditures.

Any person resident in the territory described in the application (to the Commissioner of Agricultural Loans) and actually engaged in farming operations, or agreeing to become so engaged within one year, is eligible for membership.

The loan net limit to any member of the association is \$2,000, and the rate of interest cannot exceed seven percent per annum. The loan must be repaid by the 31st of December following the taking out of a loan. The directors have the power to renew the loan.

The Treasurer of Ontario may subscribe for shares of the capital stock of the association and lend money to assist it to carry on its business; enter into agreements and guarantees with banks etc., for securing monies for the purposes of associations; and may make provision for such rates of interest and conditions of repayment as are seen proper.

The procedure for making application for an association loan is described. Other sections deal with the appointment of officers, liens or charges on property, disposal of property by lien, inspection of books and records, and dissolution of an association.

JUNIOR FARMER ESTABLISHMENT ACT, R.S.O. 1970, c. 229. Amendment: 1971, c. 98.

Minister of Agriculture and Food.

Provides for loans to be made to 'junior farmers', as defined in the Act, to be secured by mortgage. No new loans being made.

The Ontario Junior Farmer Establishment Loan Corporation is continued.

It has as its objective the making of loans to junior farmers and owners of farms where one of the family members is a junior farmer, for the establishment, development, and operation of their farms.

The Corporation may make loans to junior farmers for the following purposes: to buy farm land; to erect farm houses or farm buildings; to pay off claims against liens on property; to consolidate debts; to provide drainage; to purchase livestock; and for such other purposes as the Corporation approves.

Required qualifications for applicants for loans are: age of 21 to 35 years; residence in Ontario for three years; three or more years of farming experience; demonstrated ability and capacity to operate a farm; being industrious and of good character; and actually farming or intending to farm on a full-time basis on the land for which security is given.

Under the Act, the Corporation must refuse a loan where the land and buildings do not constitute an economic farm unit. The loan limit is \$40,000 and the interest rate is five percent per annum. (Note: At the time of printing there is no loaning activity under this Act, and there has not been any for some time.)

RURAL HOUSING ASSISTANCE ACT, R.S.O. 1970, c. 418.

Minister of Housing.

Establishes a corporation to lend money to build houses in rural areas, and provides for co-operation with certain other lending institutions.

The Rural Housing Finance Corporation has the power to lend and invest money on mortgage of real estate in order to provide financial assistance in the building of houses in rural villages and hamlets and in other rural areas. The act enables it to exercise its power of lending money in co-operation with Central Mortgage and Housing Corporation under the National Housing Act (Canada) or with any other corporation incorporated for similar purposes.

RURAL POWER DISTRICT LOANS ACT, R.S.O. 1970, c. 420.

Minister of Energy.

Provides for loan advances through the Ontario Hydro-Electric Power Commission (now Ontario Hydro Corporation) to pay for wiring of buildings and for certain electrical equipment in rural areas. Sets terms and conditions.

From the Consolidated Revenue Fund and through the Hydro-Electric Power Commission of Ontario, (now Ontario Hydro Corporation) advances may be made to property owners to pay for wiring from transmission or distribution lines into their buildings and for transformers, motors, and other appliances necessary for industrial, agricultural or domestic purposes. The amount of the advance is limited to \$1,000 in the case of any one owner, and every advance is repayable with interest within twenty years. The advance made under this Act is a first charge upon the lands and premises owned by the applicant.

2. Debt Adjustment and Income Assistance

CROP INSURANCE ACT (ONTARIO), R.S.O. 1970, c. 98. A.S.O. 1971, c. 28.

Minister of Agriculture and Food.

Provides for the insurance of agricultural crops to be written in co-operation with Ottawa on a cost-sharing basis.

The Crop Insurance Commission of Ontario and the Ontario Crop Insurance Fund are continued. The Minister may, with the approval of the Lieutenant Governor in Council, enter into an agreement with the Government of Canada as provided for in the Crop Insurance Act (Canada).

It is the function of the Commission, and it has the power, to administer this Act and the regulations; to administer crop insurance plans; to evaluate losses and pay claims; to conduct surveys and research programs relating to crop insurance; to collect premiums and

adjust claims; to enter into agreements or retain persons to do certain work; and to require an applicant for crop insurance or an insured person to furnish the information required by the Commission.

The Commission may make regulations with respect to establishing, amending, and revoking voluntary plans; and providing for insurance within Ontario against loss arising when the seeding or planting of land to an agricultural crop is prevented by excess ground moisture, weather or other agricultural hazards. The Commission may regulate the terms and conditions of insurance under any plan. The Lieutenant Governor in Council is empowered to make regulations respecting any matter necessary or advisable to carry out effectively the purpose of this Act.

FARM INCOME STABILIZATION ACT, S.O. 1976, c.77.

Minister of Agriculture and Food.

The Bill provides for the establishment of the Farm Income Stabilization Commission of Ontario and provides for government and producer contributions to a stabilization fund. It empowers the Commission, subject to the approval of the Lieutenant Governor in Council, to make regulations establishing, amending and revoking voluntary plans for farm income stabilization respecting farm products and governing the terms and conditions of stabilization under any plan.

The Commission must fix fees to be paid by a person enrolled in a plan at a level that, in its opinion, will return one-third of the amount necessary to maintain the Fund in respect of the farm product for which fees are fixed over the length of the term of the enrolment prescribed in the plan.

The Commission, may ascertain farm product receipts applicable to any product under a plan, may establish a stabilization price respecting any such farm product, and may pay to persons enrolled in the plan the amount by which the appropriate stabilization price exceeds the farm product receipts.

The stabilization price, where fixed in relation to a farm product, will be fixed at 95 percent of the five-year average price adjusted for cash-cost changes. Farm product receipts would be established at a level representing not less than 90 per cent of the five-year average price adjusted for cash-cost changes.

The Minister may, with the approval of the Lieutenant Governor in Council, enter into agreements with the Government of Canada to further the carrying out of the intent and purpose of this Act.

FARM LOANS ADJUSTMENT ACT, R.S.O. 1970, c. 159.

Minister of the Treasury, Economics and Intergovernmental Affairs.

Provides authority whereby agricultural loans made under specified Acts may be reviewed and some relief given to the borrower.

A person who is liable for the payment of a loan made under the Agriculture Development Act, the Farm Loans Act, or the Northern Development Act for farming or agricultural purposes, may make application to the Commissioner of Agricultural Loans to have the loan reviewed by a judge for the purpose of obtaining any or all of the following relief:

- (1) A reduction in the amount of the principal outstanding.
- (2) A reduction in the amount of the arrears of interest; and
- (3) An extension of time for the payment of the loan.

ONTARIO GUARANTEED ANNUAL INCOME ACT, 1974. Amendment: 1976, c. 33. S.O. 1974. c. 58.

Minister of the Treasury, Economics and Intergovernmental Affairs.

Provides for income supplements to be given to 'eligible' persons in amounts necessary to ensure that an income of \$2,600 for unmarried persons and \$5,200 for married couples is available.

The size of the monthly increment is equal to 1/12 of the amount by which the guaranteed income limit exceeds the person's income as determined according to the provisions. Increments may be suspended if a person lives out of Ontario for more than six months a year, or on failure to comply with the provisions. Applications operate retroactively to the latter of either the applicant's qualifying date or one year from the date of receipt of the application. Persons over 65 years of age are required to meet the residency requirements of the Old Age Security Act (Canada).

3. Taxation

GIFT TAX ACT, 1972, S.O. 1972, c. 12. Amendments: S.O. 1975, c. 15, 1976, c. 11.

Minister of Revenue.

The Act defines the conditions under which the transfer, settlement, disposal or payment of property is considered a taxable gift.

Section 10 of the Act exempts, under certain conditions, gifts of farming assets in Ontario given after April 12, 1973. The donor or his or her spouse must be a resident of Ontario, and the recipient must be an Ontario resident related to the donor by blood, marriage or adoption. The recipient must use the donated farming assets for farming in Ontario. Between April 12, 1973 and January 1, 1975 the maximum value of all gifts of farming assets that qualified for tax exemption during the life of the donor was \$50,000.

The 1973 amendment included an exemption of a \$50,000 once-in-a-life-time gift of farming assets. The 1975 amendment allows gifting over any number of years and raises the annual exemption to \$5,000.

After January 1, 1975 gifts of farming assets to a value of \$75,000 made to persons connected by blood relationship, adoption or marriage who continue to use them in farming are exempt. Gifts of shares of a small business corporation to a value of \$75,000 made to family members are exempt. All absolute and outright interspousal transfers and transfers to a spouse's registered retirement savings plan are exempt. The Act defines "farming", "farming assets", and "farming corporation" for the purpose of Section 10.

The powers of the Minister and his agents in administering the Act, including the evaluation and inspection of property and records, are established.

A second amendment for 1976, Bill 134, has passed first reading. It deals with the definition of relationships between persons affected by the Act. The definition of related persons, if passed, will include a step-child and a person treated as a member of the family even if not derived by natural descent or adoption. A spouse's interest in a gift to a spousal trust will become exempt.

LAND SPECULATION TAX ACT, 1974. S.O. 1974, c. 17; 1974, c. 107 and c. 121.

Minister of Revenue.

Imposes a tax on land in respect of certain speculative transactions affecting control or ownership of land, fixes responsibility on the owner for payment of the tax and provides certain exemptions.

After April 9, 1974, a tax of 50 percent of taxable value is levied upon any disposition of land situated in Ontario other than mineral properties. 'Disposition' includes sales, transfers, assignment or exercise of options, long-term leases (over ten years), and changes in control of corporations or associations 50 percent or more of whose assets consists of designated land and debt transfers.

A person disposing of the designated land is responsible for payment of the tax.

Exemptions from tax are made where it is farming land disposed of within a family to enable the transferee to carry on farming, where land is taken under statutory authority, where it is transferred to the Crown, and where the land is a person's principal residence or principal recreational property. A special exemption is included for persons over 65 who are disposing of land which has been inhabited as a principal residence for five years or more. Other tax exemptions are specified.

LAND TRANSFER TAX ACT, 1974. R.S.O. 1970, c. 35. Amendments: 1972, c. 15; 1974, c. 8 sup.; 1974, c. 16 and c. 93.

Minister of Revenue.

Imposes on the registration of the document of conveyance of land transferred to persons who are not resident in Canada a tax of 20 percent of the value of the consideration for the transfer.

For transfers to residents of Canada, the tax is 3/10 of one percent of the first \$35,000 of the value of the consideration for the transfer and 6/10 of one percent on the remainder.

In view of the increased liability to tax imposed and the differentiation between residents and non-residents of Canada, many definitions are contained in the statute. It also contains many administrative provisions similar to those contained in other revenue statutes of the Province.

SUCCESSION DUTY ACT, R.S.O. 1970, c. 449. Amendments: 1971, c. 15 c. 98; 1971, (2nd Sess.) c. 3; 1972, c. 17; 1973, c. 109, c. 40; 1975, c. 14; 1976, c. 20.

Minister of Revenue.

A brief and accurate synopsis of this Act is not possible. Readers are referred to the Act itself or to the leaflets on the subject distributed by the Ontario Ministry of Agriculture and Food.

Succession duty is a provincial tax levied at death. Many changes have been made in this Act to increase the minimum size of an estate which may pass free of succession duty to \$250,000, to abolish the tax on the passage of property to one spouse on the death of the other, and to allow the forgiveness over a period of ten years the duty on farming assets passing to family members. For available duty on shares of a corporation qualifying for a small business deduction is also discharged over ten years.

All estates under \$250,000 are exempt as are estates passing to a spouse and gifts made more than five years prior to death. Gifts of farming assets and shares of small active business corporations are a deductible \$75,000

Section 17 (a) allows the forgiveness on succession duty on farming assets passing to family members. For deaths on or after April 8, 1975, the forgiveness period is ten years at an annual rate of ten percent. The forgiveness of duty may be cancelled and the balance becomes payable if any part of the land is sold out of the family. All duty becomes payable should the land be sold or farming cease within two years of the deceased's death.

Forgivable duty on farming assets will become payable when farming ceases to be carried on by members of the family or by a farming corporation. Where the deceased dies before April 8, 1976, any forgivable duty may be cancelled after 10 years.

IV. PRODUCTION

1. General

GAME AND FISH ACT, R.S.O. 1970, c. 186; Amendment: S.O. 1971, c. 30; 1973, c. 108 and 174.

Minister of Natural Resources.

The relevant articles in this Act are the rules governing game and fish on the owner's property.

This Act does not apply to domestic animals and domestic birds (except dogs); to a person destroying any animal (other than a caribou, deer, or moose) on his own lands in defense or preservation of his property by any means at any time; or to a person destroying a beaver dam in defense or preservation of his property.

A farmer or any of his family residing with him on his land does not require a licence to hunt or trap fur-bearing animals during the open seasons. He may without a licence sell the fur-bearing animals or the pelts, but he must keep records and make such returns as are prescribed in the regulations.

LIGHTNING RODS ACT, R.S.O. 1970, c. 245, S.O. 1971, c. 50.

Solicitor General.

Provides for licensing of sellers and installers of lightning rods.

No person is allowed to offer for sale, sell or install lightning rods unless licenced to do so by the Fire Marshall under this Act. This Act does not apply to the installation of lightning rods on a building or structure by the owner or occupant of the building or structure where he himself does the work, or the work is done by his employee or employees under his direction.

PESTICIDES ACT, 1973, S.O. 1973, c. 25. Amendment: 1974, c. 21.

Minister of the Environment.

Provides for the licensing of exterminators and the regulation of extermination activities, and regulates the handling and use of pesticides within the context of the dangers of health and environmental impairment.

This is a revision of the Pesticides Act, R.S.O. 1970, c. 346. The licensing provisions for exterminators are outlined. A permit is now required for water, land and structural exterminations. Licenses are required to sell or to transfer any pesticide; pesticides are to be classified by regulations; the Director may exempt persons from this licensing requirement or modify such licences.

Control orders and stop orders may be made by the Director. Provincial officers (formerly inspectors) may also issue such stop orders. The Minister may order persons to repair damage to environment. Cleaning and decontamination measures must be undertaken as prescribed. Prohibited activities are defined. Appeals from the decision of the Director regarding licences, permits, control orders and stop orders may be taken to the Pesticides Appeal Board.

The Minister of Environment is accorded authority to conduct studies, research and educational and informational programs relating to pesticides and the control of pests. Cabinet regulatory authority is set down.

2. Crops

ABANDONED ORCHARDS ACT, R.S.O. 1970, c. 1; Amendment: 1971, c. 50.

Minister of Agriculture and Food.

Provides for action against neglected orchards by commercial fruit growers in order to prevent spread of disease and insect infestation.

Provision is made for inspection of fruit trees in orchards and the issuance of certificates designating orchards as neglected orchards in appropriate cases. The owner of an abandoned orchard is required to destroy all fruit trees in the orchard and all such other trees, etc. present in the orchard as are designated in the Regulations. The owner of such an orchard has the right to appeal. Generally speaking the Act applies only to orchards any part of which is closer than 300 yards to an orchard that is used for the commercial production of fruit.

PLANT DISEASES ACT, R.S.O. 1970, c. 350. Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Provides for the control or eradication of diseases that affect plants; powers of inspectors; licensing of nursery operators, etc.

The intent of this Act is to control or eradicate any plant disease that is designated a plant disease in the regulations.

An operator of a nursery or a dealer in stock must be licenced under this Act. The Act provides for the appointment of a director, a provincial entomologist and inspectors plus a Plant Diseases License Review Board.

The council of any municipality may by by-law employ one or more municipal inspectors to enforce this Act and the regulations, and provide for the control or eradication of any disease of plants which they designate.

Inspectors have the power to make an inspection and to order disinfection of diseased plants, land, buildings, vehicles, or containers, or to order the treatment and destruction of any diseased plants. They also have the power to prohibit the growing of certain plants when a plant disease is found in the soil on any premise. The Act describes how orders and appeals are to be handled.

The Lieutenant Governor in Council may make regulations designating the plant diseases under this Act; providing for the establishment of plant disease control areas; providing for the issue of disease free certificates; and providing for the making of grants to reimburse any municipality for expenses incurred under this Act.

SEED POTATOES ACT, R.S.O. 1970, c. 429.

Minister of Agriculture and Food.

Provides for the establishment of “seed potato restricted areas”, for controls over movement of potatoes into, out of or within such areas, and for restrictions on the type of potatoes planted in such areas.

Only those seed potatoes that are prescribed in the regulations can be planted in the restricted area. Permits must be obtained from inspectors to move potatoes into a restricted area.

The regulations governing the use of containers and the movement of potatoes into the area for industrial processing so as to prevent the spread of any potato disease are set forth. All places of storage, containers, and machinery used for potatoes in a restricted area must be disinfected at least once each year, and any planting, harvesting, or grading equipment used for potatoes must be disinfected before such equipment is moved from one farm to another within a restricted area.

An inspector may at any time inspect the potato fields in his jurisdiction. Within a restricted area no person can move any potatoes infected with bacterial ringrot from one farm to another.

WEED CONTROL ACT, R.S.O. 1970, c. 493. Amendments: 1971, c. 50; 1972, c. 39; 1973, c. 89.

Minister of Agriculture and Food.

Provides for destruction of weeds, appointment of inspectors and collection of costs from land-owners.

The council of any municipality has the power to appoint persons as local weed inspectors to enforce this Act. The powers of the inspectors in bringing about the destruction of noxious weeds are described. Appeals can be made to the chief inspector. When an inspector's order is not complied with, the inspector may cause the noxious weeds or weed seeds to be destroyed in the manner prescribed in the regulations.

3. Livestock

ANIMALS FOR RESEARCH ACT, R.S.O. 1970, c. 22; Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Provides for the care and provision of animals for research and teaching and regulates research and supply facilities.

The Licensing and Registration Review Board is established and its powers and duties are described. Operators of a facility supplying livestock to a research facility are required to be licenced. Exceptions are specified. Licensing requirements are described. Provision is made for the hiring of inspectors and their responsibilities are set forth.

Research facilities must be registered. Requirements for registration and grounds for suspension or revocation of registration are outlined. The operator of a research facility has the right to a hearing by the Review Board. The laws regarding purchase or other

acquisition of dogs and cats and their sale or other disposition are detailed. The Act provides for the establishment of an Animal Care Committee. The powers and responsibilities of this committee are described.

The Act provides guidelines for the sale or destruction of cats and dogs. The responsibilities of operators of pounds keeping cats and dogs are detailed.

ARTIFICIAL INSEMINATION OF LIVESTOCK ACT, R.S.O. 1970, c. 30; Amendments: S.O. 1971, c. 50; 1973, c. 119.

Minister of Agriculture and Food.

Provides for the regulation and licensing by the Livestock Commissioner of those engaged in the business of providing artificial insemination service for cattle.

Under the Act, no person can commence or continue to engage in an inseminating business or a semen-producing business without a licence from the Livestock Commissioner. The Artificial Insemination of Livestock Licence Review Board is established under an Amendment to this Act. The Board has power respecting licensing. An appeal from the decision of the Board can be made to the Supreme Court. The decision of the Board is effective until the appeal is disposed of. Only semen purchased or otherwise acquired from a licenced semen-producing business may be used. The Commissioner may authorize the use of semen from a non-licenced semen-producing business, or the sale or disposition of semen that is not produced in Ontario by a bull maintained by a licenced semen-producing business.

In the 1973 Amendment, the right to engage in artificial insemination is extended to livestock other than cattle. "Livestock" is defined to mean cattle, goats, horses, sheep, or swine.

No person, other than a corporation without share capital, shall hold a licence to engage in an inseminating business. This new requirement does not, however, affect a person who held such a licence prior to the day on which this Amendment came into force.

BEES ACT, R.S.O. 1970, c. 43. Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Provides for registration and regulation of beekeepers and the honey industry generally.

The major intent of this Act is to control such diseases as American foul brood and European foul brood and any other disease designated by the regulations. The Act states the law regarding the destruction or treatment of infected bees, hives, and equipment, the quarantine of bees, moving bees to and from quarantine, the permits required to receive and transport bees obtained outside Ontario and those required for sale or removal of bees, and disposal of dead colonies of bees and related matters.

The following actions are prohibited: using any honey or candy containing honey as a food for the bees by a seller of packaged bees; spraying of fruit trees in blossom with a mixture containing any poisonous substance injurious to bees; locating of hives containing bees within 30 feet of a highway, dwelling or cultivated field; and locating hives in urban municipalities within 100 feet of a property line occupied by a dwelling or area used as a place of public assembly or recreation. The Act also prohibits the transporting of used honey containers that have not been properly cleansed, and the buying, selling, or transporting of beeswax refuse or used honeycombs between April 1 and December 1 in any year without a permit.

Provision is made for the hiring of inspectors for the purpose of carrying out the Act and its regulations.

BRUCELLOSIS ACT, R.S.O. 1970, c. 51.

Minister of Agriculture and Food.

Provides a vaccination program to control brucellosis in cattle.

The authority and the means for controlling the infectious disease of cattle caused by the organism *Brucella Abortus* are provided.

No person other than a veterinarian or an assistant engaged by him can vaccinate for brucellosis. The Lieutenant Governor in Council may make regulations prescribing the vaccine, the method and the age limits for the vaccination of a calf; providing for a means of identification of a calf that has been vaccinated; prescribing the manner in which such means of identification may be used; governing the removal of identification from a head of cattle; prescribing forms and providing for their use; respecting any manner necessary or advisable to carry out effectively the purposes of this Act.

DEAD ANIMAL DISPOSAL ACT, R.S.O. 1970, c. 105; Amendments: S.O. 1971, c. 50; 1972, c. 60.

Minister of Agriculture and Food.

Provides regulation of the disposal of the carcasses of animals dying from reasons other than slaughter, and licensing of those engaged in this service.

No person may give, sell, offer for sale, process, transport or deliver for human consumption, meat from a dead animal.

Regulations may be made prescribing grounds for the refusal to renew, suspend or revoke licences.

This Act fixes responsibility of the owner in disposing of dead animals, provides for licensing of collectors, inspection, and other matters related to the handling of the carcasses.

This Act does not apply to establishments operating under the Meat Inspection Act (Canada) or to dead animals while being held for post-mortem examination, investigation, or law enforcement.

The owner is responsible for disposing of a dead animal or carcass. A broker, collector, and operator of a receiving plant and an operator of a rendering plant must be licenced by the Director of the Veterinary Service Branch of the Ministry of Agriculture and Food. The legislation prohibits the collection of a dead animal by any person unless he is a holder of a licence as a collector. The conditions that must be met to hold a licence are outlined.

The Minister may appoint a chief inspector and one or more inspectors to carry out and enforce this Act and the regulations.

DOG LICENSING AND LIVE STOCK AND POULTRY PROTECTION ACT, R.S.O. 1970, c. 133. Amendments: S.O. 1971, c.50; 1972, c.10; 1974, c.94; 1975, c.86.

Minister of Agriculture and Food.

Permits municipalities to levy licence fees on owners of dogs and provides for payment of awards to owners of livestock killed by dogs and wolves.

Under Part II of this Act, any person may kill a dog that is found attacking livestock or poultry, or straying on premises where livestock or poultry are habitually kept. The local municipality is liable to the owner of the livestock or poultry for the amount of damage determined. Where the owner claims damage from the municipality he must notify the municipal clerk and file an affidavit within ten days. The carcass must be seen by the valuer. Where the owner is dissatisfied with the value placed on the animals by the valuer, he may appeal to the Livestock Commissioner. The amount of damage which the owner can collect from the municipality is limited to the amounts specified in the Act. The rate of recovery from the owner of the dog, the follow-up proceedings, and the duty of the municipality in destroying the dog, are set out.

In the 1975 Amendment, a definition of "Fur-Bearing Animal" is added, and rabbits and fur-bearing animals are included in the definition of livestock. Municipalities will not be liable for fur-bearing animals and rabbits in excess of the prescribed maximum amount.

FARM PRODUCTS CONTAINERS ACT, R.S.O. 1970, c. 160.

Minister of Agriculture and Food.

Provides the funding for the Ontario Fruit and Vegetable Growers' Association, and for the Ontario Beekeepers' Association, by means of licence fees imposed on containers of farm products.

The Ontario Beekeepers' Association or the Ontario Fruit and Vegetable Growers' Association may require container manufacturers to collect licence fees from the producers and to pay them to the appropriate Association.

FUR FARMS ACT 1971, S.O. 1971, c. 29.

Minister of Agriculture and Food.

Provides for licensing and regulation of fur farms.

A licence is required to operate a fur farm and permits are required to move any fur-bearing animal or pelt from a fur farm to any point inside or outside Ontario. A container used in the shipment or transportation of fur-bearing animals or pelts from a fur farm must be plainly marked on the outside in such a manner as to give the quantity and description of the contents and the names and addresses of the consigner and the consignee.

HUNTER DAMAGE COMPENSATION ACT, R.S.O. 1970, c. 215. Amendment: S.O. 1973, c. 111.

Minister of Agriculture and Food.

Provides for compensation to farmers who suffer injury to animals and certain classes of equipment by hunters.

The Minister may pay to the applicant such amount as he considers reasonable but not exceeding the market value of the livestock or other property in respect of which payment is made.

Where an applicant is entitled to receive an amount under a contract of insurance against loss by reason of the death of or injury to livestock or damage to property in respect of which he has made application, the Minister shall apply an amount equal to that amount in reduction of any payment. In addition, maximum amounts are specified for the different kinds of livestock.

Every agricultural representative and assistant agricultural representative is *ex officio* a valuer for the purposes of this Act.

LIVESTOCK BRANDING ACT, R.S.O. 1970, c.252.

Minister of Agriculture and Food.

Provides for recording of livestock brands.

The law concerning the branding of livestock, the recording, renewal, and transfer of brands, the right to ownership, the record of all brands, and the publishing of the lists of brands is described. Offenses under this Act are specified.

LIVESTOCK MEDICINES ACT, 1973, S.O. 1973, c.80.

Minister of Agriculture and Food.

Provides for the regulation and licensing by the Director, Veterinary Services Branch, of persons other than pharmacists or veterinarians selling livestock medicines to owners of livestock for the treatment of livestock.

The sale of livestock medicine to the owners of livestock must be made by dealers licenced for the purpose by the Director of the Veterinary Services Branch of the Ministry of Agriculture and Food. Such sales may also be made by a licenced pharmacist under the Pharmacy Act, R.S.O. 1970, c. 348.

A Livestock Medicines Licence Review Board is established to hear appeals in cases where the Director refuses to issue or renew, or suspends or revokes, a licence. Appeals therefrom may be taken to the Supreme Court.

“Livestock medicines” are to be designated by regulations.

POUNDS ACT, R.S.O. 1970, c. 353. Amendment: 1975, c. 67.

Minister of Agriculture and Food.

Provides for the impounding of animals running at large, fixes responsibility, and provides the means for achieving the intended result.

The owner or occupant of any land is liable for any damage caused by any animal under his charge unless the by-laws of his municipality permit the animals to run at large. Where there is no such by-law in a provisional judicial district, damages to land are not recoverable unless the animals have broken through or jumped over a fence that is in good repair and is 4 1/2 feet high. This section does not apply to breachy or unruly animals.

No bull over the age of ten months nor any swine may run at large in any district not included in an organized municipality.

In the 1975 amendment, the prohibition against bulls and swine running at large in a territory without municipal organization is extended to cattle, goats, horses and sheep. The maximum fine for a contravention of the provision is \$300.

The Act sets down the types of animals that may be impounded and the conditions under which such action can be taken, the procedure to be followed in recovering impounded animals, and the duties of poundkeepers. It also provides for viewers to appraise damage and to determine whether or not fences are lawful.

PREGNANT MARE URINE FARMS ACT, R.S.O. 1970, c. 359. Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Provides for licensing of PMU farm operators and provides for regulations respecting care of horses on such farms.

No person can commence or continue to be an operator of a Pregnant Mare Urine Farm or a P.M.U. contractor without a licence from the Director of the Veterinary Services Branch of the Ministry of Agriculture and Food. The requirements for a licence and the conditions which may result in the suspension or revocation of a licence are outlined. The applicant or licensee has the right to appeal the decision of the Director to the PMU Licence Review Board and to the Supreme Court.

PROTECTION OF CATTLE ACT, R.S.O. 1950, c. 294, Amendment: S.O. 1973, c. 110.

Minister of Agriculture and Food.

Provides for civil and quasi-criminal liability of persons who allow a bull to escape from their property. A further provision relating to the establishment of “Better Bull Areas” is now repealed.

This Act provides for a penalty for permitting a bull to run at large and recovery of damages where a cow is got in calf. Where a cow is got in calf by a bull running at large, the owner of the cow is entitled to recover the full amount of actual damage or loss sustained by him. The owner of any bull found off his owner's premises, not confined or led by an attendant, shall be guilty of an offense and on summary conviction shall be liable to a penalty of \$25.

RIDING HORSE ESTABLISHMENTS ACT 1972, S.O. 1972, c. 59.

Minister of Agriculture and Food.

Provides for the licensing of operators of riding horse establishments and for regulations respecting care of horses in such establishments.

A Riding Horse Establishment Licence Review Board is established and its composition is specified. Requirements for licences are set forth. The terms and conditions for revocation or suspension of licences are prescribed. The powers of the inspectors are described. Prohibitions under the Act are detailed.

The Ontario Society for the Prevention of Cruelty to Animals Act, 1955, does not apply in respect of horses in the possession of a licenced operator of a riding horse establishment.

WARBLE FLY CONTROL ACT, R.S.O. 1970, c. 487.

Minister of Agriculture and Food.

Provides for passage of municipal by-laws respecting treatment of cattle for warble fly and for regulations respecting treatment methods, etc.

Upon receipt of a petition by more than two-thirds of the cattle owners in the municipality, the council can require all the cattle within the municipality to be treated for warble fly. Inspectors have the power to enter the premises of cattle producers to control warble flies. The duty of the cattle owners and the powers of inspectors to treat for warble fly are specified. The Act outlines the terms under which cattle can be brought into the municipality and the penalties for non-compliance with the regulations under the Act.

V. MARKETING

1. General

COMMODITY BOARD MEMBERS ACT, 1976 S.O. 1976, c. 7

Minister of Agriculture and Food.

No person may become or continue to be a member of a commodity board while he, or a person with whom he is in partnership, or a corporation of which he is a senior officer or in which he has a controlling interest, is in contravention of the Farm Products Marketing Act or the Milk Act or where he does not conform with or continue to conform with any qualifications for membership prescribed by the plan.

A producer or a commodity board may apply to the proper tribunal for a determination of the question of whether a member has contravened the Act. Unless the contravention was inadvertent, the tribunal may disqualify a member and declare his seat vacant.

FARM PRODUCTS, GRADES, AND SALES ACT, R.S.O. 1970, c. 161. Amendments: S.O. 1972, c. 37; 1974, c. 6.

Minister of Agriculture and Food.

Provides for the inspection, grading, packing and marketing of farm products.

Licences may be issued to dealers, who are defined as persons who purchase or accept for sale farm products from the producer thereof, other than persons who purchase farm products for their own consumption. Licences may not be renewed, suspended or revoked, except after a hearing and on grounds stipulated in the statute.

Operators of controlled-atmosphere storage plants must be licenced, as must those engaged in the packing or repacking of controlled-atmosphere fruit for sale. The grounds for the refusal of licences and for non-renewal, suspension or revocation thereof are established.

A Produce Licence Review Board and a Produce Arbitration Board are established. Every contract between two contracting parties shall be deemed to provide that an unresolved matter shall be submitted for arbitration to the Arbitration Board. The Arbitration Act,

R.S.O. 1970, c. 25, applies, except for where it is inconsistent with this Act. "Contracting Parties" are defined. The types of regulations which may be made are detailed.

FARM PRODUCTS MARKETING ACT, R.S.O. 1970, c. 162. Amendments: S.O. 1971, cc. 1 and 42; 1972, c. 156; 1975, c.6.

Minister of Agriculture and Food.

Provides for the control and regulation of marketing within Ontario of various designated farm products, including the prohibition of marketing and fixing of quotas. It also provides for production controls which are applied on crops specifically named in the Act. The 1975 amendment provides production controls, by a quota system, for egg production.

This Act is designed to facilitate interprovincial and export trade and provides a mechanism for control and regulation of marketing of farm products through the agency of the Farm Products Marketing Board, which is given extensive powers to further the implementation of the Act, Regulations or any Plan. Plans which are examined by the Board may apply to a variety of farm products or to persons engaged in agricultural production and marketing, and may be limited to one or more areas in Ontario.

Local Boards are established, and through licensing and supervision may enforce the comprehensive Regulations necessary for Marketing Plans. An appeal machinery against decisions of the local Board is provided.

The Act provides for the recognition of a group of producers as the representative association of a designated farm product. Such a group, when approved by the Lieutenant Governor in Council, will be charged with responsibility for a marketing program and the management of the licence-fee structure.

The Act interlocks with the Agricultural Products Marketing Act, R.S.C. 1970, c. A-7, and certain offences may be dealt with under either Act. Tobacco marketing is seen as a separate problem, and the Ontario Flue-cured Tobacco Growers' Marketing Board is selected in section 21 as the licensing authority.

The Act provides for the approval of agreements providing for the performance by a marketing Agency of Canada, on behalf of Ontario, of functions necessary to implement the general philosophy of the Act. Provision has been made for necessary delegation of powers, so the chain of authority extends from the federal side down to the local Boards, if they have been authorized by Ontario to accept such responsibility.

FARM PRODUCTS PAYMENTS ACT, R.S.O. 1970, c. 163.

Minister of Agriculture and Food.

Provides for a fund to be set up for payment of compensation to unpaid producers.

The Lieutenant Governor in Council may establish a fund for any class of producers under this Act. The Milk Commission of Ontario may be designated a Board and administer the fund. Application for payment from this fund can be made when a dealer has not paid the producer the price of a farm product within 15 days of the time the payment becomes due; or the dealer's assets have been placed in the hands of a trustee for distribution under the Bankruptcy Act (Canada) or the Bulk Sales Act.

It is the function of a Board, and it has the power, to administer this fund, to investigate all claims made to it under this Act and to determine the extent of their validity; to grant or refuse the payment of claims or any part and determine the amounts and manner of payment; to recover any monies to which it is entitled under this Act by suit in a court of competent jurisdiction.

ONTARIO PRODUCERS, PROCESSORS, DISTRIBUTORS, AND CONSUMERS FOOD COUNCIL ACT, R.S.O. 1970, c. 328.

Minister of Agriculture and Food.

Provides for the continuation of the Food Council and defines its powers.

The objects of the Food Council are to promote methods of insuring the orderly marketing of agricultural products and agricultural food products; to conduct studies and report on crop conditions, markets, tariffs and distribution and sale methods; to promote research

into market development; to stimulate the advertising and promotion of agricultural products; to inquire into and report to the Minister on measures and projects referred to it by him, and to advise the Minister on matters relating to the development of markets for agriculture products and agricultural food products.

Subject to the approval of the Minister, the Food Council may promote and co-ordinate campaigns to market surpluses and enter into assistance arrangements whereby a person, partnership, or corporation can carry out programs for the development of markets.

The Food Council may receive complaints and collect data respecting trade practices in the food industry and take steps to effect the discontinuance of undesirable trade practices. The Minister, upon the recommendation of the Food Council, may make grants for the purposes of carrying out the objectives of the Food Council. Administered by the Ministry of Agriculture and Food.

PUBLIC HEALTH ACT, R.S.O. 1970, c. 377. Amendments: S.O. 1971, c. 95; 1972, c. 80; 1973, c. 130; 1974, c. 61 and c.87; 1975, c.61.

Minister of Health.

Provides the authority to make regulations and prescribe conditions under which food products meet public health requirements.

The Minister may make regulations relating to the pasteurization of milk, designation of communicable diseases and the testing of food, drink, utensils, and employees and operators of food premises.

The Department of Public Health has the power and duty to ensure the carrying out of this Act and the regulations pertaining to public health.

A food and dairy inspector may inspect any premises on which any product for human consumption is handled, and may order any improvements so as to comply with the regulations. Where products are sold outside the municipality in which the premises are situated the Medical Health Officer may regulate or prohibit the distribution or sale of such products. Inspection may be made of any food exposed for sale. Meat packing establishments, slaughterhouses, cow stables, dairies, cheese factories and creameries are subject to inspection.

No person may sell food which by reason of disease, adulteration, impurity or other cause, is unfit for human use.

2. Grains, Fruits and Vegetables

GRAIN ELEVATOR STORAGE ACT 1974, R.S.O. 1970, c. 195. Amendment: S.O. 1973, c.88.

Minister of Agriculture and Food.

Provides for the licensing and regulation of grain storage facilities. Establishes a Grain Elevator Storage Licence Review Board.

Included in the statutory requirements are grain storage receipts, weight tickets, records, insurance covering all farm produce stored, and inspections. Penalties for contravening any provision of this Act or the regulations are included.

The 1973 Amendment provides for a hearing on licensing of grain elevator operators, and the factors upon which the chief inspector may refuse to issue such a licence are established; refusals to renew, suspensions and revocations of licences require a hearing, and the factors upon which the chief inspector may base such decisions are established; provisions for notice and evidence are appended.

The Grain Elevator Storage Licence Review Board is established. Appeals may be made to the Board. Appeals therefrom may be taken to the Supreme Court only on questions of law or on mixed questions of law and fact.

FRUITS AND VEGETABLES PRODUCE-FOR-PROCESSING ACT 1974, S.O. 1974. c. 55. (Not proclaimed in force).

Minister of Agriculture and Food.

Provides for licensing of producers and the use of these fees to improve production and marketing techniques.

No produce may be sold for processing unless the producer is licenced. The money collected is to be used to advance the practice of horticulture and improve marketing technique. Provision is made for producers to apply for refund of application fees.

ONTARIO FOOD TERMINAL ACT, R.S.O. 1970, c. 313. Amendments: S.O. 1971, c. 50; 1972, c. 1.

Minister of Agriculture and Food.

Establishes the Ontario Food Terminal and provides for its direction and management.

The objects of the Board are to acquire and operate a wholesale fruit and produce market in the Municipality of Metropolitan Toronto or Regional Municipality of York, to be known as the Ontario Food Terminal, and to acquire and operate such facilities for the transportation and handling of fruit and produce and to do such other acts as may be necessary or expedient for the carrying out of its operations and undertakings.

The Board has the power to borrow money and issue securities and to rent space in the Terminal. No person may establish or operate within the Municipality of Metropolitan Toronto, Regional Municipality of York or Country of Peel any market for the sale by wholesale of fruit and vegetables except with the approval of the Board. If the Board refuses the approval, the applicant may appeal to the Minister.

3. Livestock and Livestock Products

BEEF CATTLE MARKETING ACT, R.S.O. 1970, c. 42. Amendment: 1974, c. 43.

Minister of Agriculture and Food.

Provides for the licensing and regulation of persons selling cattle and for the regulation of the industry as a whole.

This Act covers: the establishment and standardization of procedures affecting the sale of cattle or carcasses; and the designation and financing of an association with power to make recommendations in respect of such procedures, and to expend monies collected from licence fees to improve beef cattle marketing.

An association may use licence fees to (a) stimulate, increase and improve the sale of cattle or carcasses; (b) disseminate information concerning the cattle industry; and (c) co-operate with any person or any department of the Government of Canada, or the government of any province, in achieving its purposes.

The Lieutenant Governor in Council may make regulations designating an association for the purposes of this Act; fixing the amount of licence fees; requiring persons selling cattle to pay licence fees owing by them to the Association; providing for the recovery by the association of licence fees owing; providing for the inspecting, buying, selling, handling, weighing, measuring, shipping and transferring of cattle and carcasses; and respecting other related matters.

The appointment of inspectors and price reporters is authorized, and their duties are specified. The law regarding detention of cattle and carcasses is set down.

In the 1974 amendment, licence fees are increased to a maximum of \$0.45 per head of cattle weighing 500 pounds or more, and \$0.10 less for cattle weighing less than 500 pounds. The maximum annual increase in licence fees is limited to 10 cents for each head of cattle.

EDIBLE OILS PRODUCTS ACT, R.S.O. 1970, c. 138; Amendments: S.O. 1971, c. 50; 1972, c. 9.

Minister of Agriculture and Food.

Provides for the regulation and licensing of sales and manufacture of non-butterfat dairy substitutes.

The manufacture and sale of certain oil products, other than oleomargarine, manufactured in such a manner that the resultant product is an imitation of or resembles a dairy product, are prohibited. The use of chocolate or cocoa or any flavoring preparation is

allowed if it does not exceed one half of one percent by weight of the dairy product. The Act also prevents the sale of an edible oil product to which this Act applies that does not comply with this Act and the regulations.

The Lieutenant Governor in Council is empowered to make regulations respecting any matter necessary or advisable to carry out effectively the purpose of this Act.

LIVESTOCK COMMUNITY SALES ACT, R.S.O. 1970, c. 253. Amendments: 1971, c. 50; 1976, c. 46 (Proc.).

Minister of Agriculture and Food.

Provides the authority for regulation of livestock community sales and licensing of operators thereof.

Under the 1976 amendments (which must be proclaimed), the authority to make regulations includes the power to make regulations governing the seizure and disposal of livestock, prescribing standards for help and care of livestock and prescribing conditions upon which diseased livestock may be offered for sale. The sale of livestock held at an operator's place of business in the circumstances specified is exempt from the operation of this Act.

The conditions that must be met to get a licence to engage in the business of operating community sales, the standards that must be met as to premises and the inspection conditions that must be met prior to the sale are stipulated.

This Act does not apply to a sale at a stockyard operated by the Ontario Stockyards Board; a sale of livestock by a local Board under the Farm Products Marketing Act; or a sale of purebred livestock that is, or is of a class, designated by the regulations. Neither does the Act apply to a sale of cattle by a co-operative corporation to which the Corporation Act applies, where one of the objects of the corporation is to sell cattle on a consignment basis, at least three quarters of the shareholders or members of the corporation are producers of cattle, and the corporation has operated not more than four sales in any calendar year.

LIVESTOCK AND LIVESTOCK PRODUCTS ACT, R.S.O. c. 251; Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Provides for grading of livestock, poultry and products thereof, and for regulation of stockyards, livestock exchanges, livestock shippers, etc.

The Lieutenant Governor in Council may authorize one or more persons engaged in the production or marketing of livestock or livestock products to act as an advisory committee with the Minister or his representatives in connection with the production or marketing of any livestock or livestock products.

Inspectors are given broad powers to enforce this Act and its regulations.

The Lieutenant Governor in Council may make regulations respecting any matter necessary or advisable to carry out effectively the purpose of the Act.

MEAT INSPECTION ACT(ONTARIO) R.S.O. 1970, c. 266. Amendments: S.O. 1971, c.50; 1972, c.81.

Minister of Agriculture and Food.

Provides for inspection of animals and carcasses in slaughtering plants and regulates plant conditions and methods of operation therein.

Subject to the approval of the Lieutenant Governor in Council, the Minister may enter into agreements with the Government of Canada, providing for the more efficient carrying out within Ontario of the intent of this Act; the performance by the Government of Canada, on behalf of the Government of Ontario, of functions and services under this Act that are the responsibility of the Government of Ontario; and the payment of money required for functions and services performed by the Government of Canada.

The Lieutenant Governor in Council may make regulations respecting any matter necessary or advisable to carry out effectively the intent of this Act.

MILK ACT, R.S.O. 1970, c. 273. Amendments: S.O. 1972, c.155 and 162; 1974, c.18 and 62.

Minister of Agriculture and Food.

Provides for the regulation of marketing of milk and milk products and regulates the conditions under which milk is produced and distributed, except the grading of milk and its products.

The Milk Commission of Ontario is continued as a body corporate responsible to the Minister of Agriculture and Food.

It is responsible for (1) the administration of the Act, and (2) the supervision of the Ontario Milk Marketing Plan, which controls the marketing of all Grade A and industrial milk in Ontario, and the Ontario Cream Producers Marketing Plan.

The powers, duties and responsibilities of the Commission are set out. The Commission may delegate to a Marketing Board such of its powers as it considers necessary and may at any time terminate any such delegation. To facilitate the development of an orderly quota system, the Commission may authorize a Marketing Board to market on a quota basis and to fix quotas. The Marketing Board can prohibit sale by a person with no quota or sale in excess of quota.

Persons engaged in the producing, processing or marketing of milk or milk products are required to produce their books, records and documents and to permit inspection thereof, and also to permit inspection of premises, equipment and products when requested to do so by an authorized person. No person may obstruct officers or fieldmen of the Commission or Board authorized to inspect, or refuse to furnish them with information, or give them false information.

The construction, alteration and operation of plants requires a permit from the director of the Milk Industry Branch of the Ministry of Agriculture and Food. Any person who operates a plant or distributes fluid milk products must obtain a licence from the director of the Milk Industry Branch. The director and marketing boards are given authority under s.21 to seek injunctions.

Under the Act municipalities may pass by-laws for licensing, regulating, and governing vendors and for revoking such licences. The council of any municipality may by by-law appoint inspectors for the enforcement of the Act.

Any person who considers himself wronged by any order, direction, or decision of the Director or the Marketing Board may appeal to the Commission by serving upon the Commission a written notice of the appeal.

OLEOMARGARINE ACT, R.S.O. 1970, c. 304. Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Regulates the marketing of oleomargarine and provides for licensing of manufacturers and wholesalers, etc.

This Act outlines conditions whereby oleomargarine can be served in public eating places and prohibits the mixing of oleomargarine and butter for the purpose of sale or for use in any public eating place. Colour standards for margarine are specified.

Every package containing oleomargarine must be legibly marked with the word 'oleomargarine' or the trade name and list of ingredients, and the percentage of each.

The Act prohibits the use of misleading advertising either by word or design in an advertisement or on a package in which oleomargarine is contained. A dairy scene must not be depicted either on a package or in an advertisement for oleomargarine, nor may it be stated or implied that oleomargarine has a relation to any dairy product.

The Lieutenant Governor in Council may appoint inspectors and analysts and may make regulations respecting any matter necessary or advisable to carry out effectively the intent of this Act.

PROVINCIAL AUCTIONEERS ACT, R.S.O. 1970, c. 368. Amendment: 1971, c. 50.

Minister of Agriculture and Food.

Provides for provincial licences to auctioneers of purebred livestock, which eliminates the necessity for municipal licensing.

The Minister may grant a licence to a qualified person to sell purebred livestock only, by public auction in Ontario. A person holding such a licence is not required to take out an auctioneer's licence in any municipality for the sale of purebred livestock. The Minister has the power to revoke any licence. Fees and terms of licences are specified.

STOCKYARDS ACT R.S.O. 1970, c. 448 Amendment: S.O. 1971, c. 50; 1975, c.57.

Minister of Agriculture and Food.

Establishes the Ontario Stockyards Board and defines its powers and duties.

The Ontario Stockyards Board can acquire, construct, equip and operate livestock markets and operate facilities for the transportation of livestock necessary for the purposes of such markets. Subject to the approval of the Lieutenant Governor in Council, the Board may acquire, with or without the consent of the owner, the land, property, and assets of any stockyards, and any other land or property which it may require for its undertakings.

Provision is made for the guarantee by the Province of any securities issued by the Board. Surpluses of the Board are to be paid into a fund known as the Livestock Improvement Fund and used for the purposes of the improvement of livestock. Board approval is required to construct, maintain or operate any stockyard or any premises where livestock is assembled for the purpose of sale. Any stockyard or premises operated prior to May 12, 1944, can continue to operate without Board approval, providing these yards or premises are not enlarged.

The amendment will permit the Ontario Stock Yards Board to use future surplus money to establish a reserve fund in the Consolidated Revenue Fund to reduce the fees charged by the Board for services provided at any stock yard that it operates.

WOOL MARKETING ACT 1974, S.O. 1974, c. 56.

Minister of Agriculture and Food.

No person may sell wool to a buyer without being licenced. The licence fees, which may be refunded on application, are to be used to advance the production of sheep and wool.

VI. AGRICULTURAL SOCIETIES, PROFESSIONS AND EDUCATION

AGRICULTURAL ASSOCIATIONS ACT, R.S.O. 1970, c. 8. Amendment: S.O. 1971, c. 50.

Minister of Agriculture and Food.

Provides for incorporation of agricultural producers' groups by Order-in-Council and regulates their operation.

Certain bodies, formed for the purpose of advancing the interest of a special branch of agriculture, are corporations under this Act. The Lieutenant Governor in Council may declare that this Act applies to the admission of other societies. The formation of Boards of Agriculture, Farmers' Institutes and Women's Institutes for the purpose of disseminating information in regard to agriculture and of improving domestic life is permitted under this Act, and these constitute associations under this Act.

The Lieutenant Governor in Council may make regulations fixing the grants, and the conditions upon which the grants are to be paid.

AGRICULTURAL COMMITTEES ACT, R.S.O. 1970, c. 9. (LARGELY DORMANT).

Minister of Agriculture and Food.

Provides for committees to be formed to co-operate with the local agricultural representative for the improvement of agriculture generally, as well as the encouragement of farm youth activities and the co-ordination of agricultural groups.

No member can be selected or appointed as a member of a District or County Agricultural Committee except a farmer, farmwoman, retired farmer, farm youth or an official of an agricultural organization.

Every agricultural organization is entitled to at least one representative on the Committee, unless there are more than thirteen agricultural organizations, in which case one person may be selected as the representative of two or more agricultural organizations. Provision is made for appointing a committee member by the sitting member of the Legislature. County Council may appoint a member to a County Agricultural Committee. The Minister may appoint one member to a District Agricultural Committee.

The Minister may assign to any Committee any matter or undertaking that he considers of special interest to agriculture. A Committee may initiate or promote any matter or undertaking for the purpose of improving agriculture.

Subject to the approval of the Minister, an Agricultural Committee may require producers of any agricultural product in the county to register their names and addresses with the Secretary Treasurer of the Agricultural Committee and to furnish such information respecting the production (other than costs) of such a product as the Agricultural Committee determines. The duties of the Agricultural Representative are specified.

AGRICULTURAL REPRESENTATIVES ACT, R.S.O. 1970, c. 13; Amendments: S.O. 1971, c. 45; 1973, c. 112.

Minister of Agriculture and Food.

Provides for the appointment as agricultural representatives persons who have graduated from a university or agricultural college approved by the Minister with a degree of Bachelor of Science in Agriculture, and the appointment of their assistants and clerks.

Agricultural representatives and assistant agricultural representatives are to be appointed under the Public Service Act and must perform such duties as are designated by the Ministry.

The payment by the County Council of a sum of \$500 to the agricultural representative for the purpose of assisting and carrying out the work is required. The agricultural representative is required to provide the County Council with a statement of the work carried on in the county during the preceding year and also account for the sum of money spent.

AGRICULTURAL RESEARCH INSTITUTE OF ONTARIO ACT, R.S.O. 1970, c. 14.

Minister of Agriculture and Food.

Provides for the appointment of a group of persons to be known as the Research Institute, with the responsibility of research in all matters having to do with agriculture.

The Agricultural Research Institute of Ontario is continued as a body corporate responsible to the Minister. Property conveyed, devised, or bequeathed for purposes of research to, or to any person in trust for, any institution of the Ministry of Agriculture and Food that is engaged in research, is vested in the Research Institute, subject to any trust affecting the same. Monies received by the Research Institute must be held in trust by the Director of Research and be allocated for programs of research in accordance with the terms, if any, of the gift, grant, donation or bequest. The duties of the Director of Research and the Comptroller and the power of the Institute to acquire patents, etc, are set forth.

AGRICULTURAL SOCIETIES ACT, R.S.O. 1970, c. 15. Amendments: S.O. 1971, c. 50; 1974, c. 46.

Administered by the Ministry of Agriculture and Food.

Provides for the formation and regulation of agricultural societies for the purposes of study, holding fairs, exhibitions, public meetings and horse-racing meets, and other related activities.

The objects of a society are to advance agriculture, domestic industry and rural life by (a) doing such acts as may assist in solving the rural economic and social problems of the district; (b) organizing and holding agricultural exhibitions; (c) holding public meetings and demonstrations for the purpose of discussing agricultural problems; (d) taking action to eradicate poisonous and noxious insects, weeds, animal parasites and diseases; (e) encouraging and promoting reforestation and rural beautification and exterior farm and homestead improvements; (f) encouraging young people to become interested in and adopt better agricultural and domestic practices; (g) holding races or trials of speed for horses.

Under the 1974 amendment, grants are available for the sponsoring of farm or homestead improvement competitions (up to \$300.00), of light horse events (up to \$500), of amateur programs using local talent (up to \$500) and of other displays or competitions (up to \$200). No society shall in any year receive a grant in excess of \$1,500. The ceilings are removed on grants or loans made by municipal councils to Agricultural Societies.

The Act sets down the mode of organization, the persons entitled to membership, membership fees, meeting procedures, powers and limitations of the board, conditions under which provincial grants are paid, and other guidelines for the organization.

HORTICULTURAL SOCIETIES ACT R.S.O. 1970, c. 209. Amendments: S.O. 1971, c. 50; 1975, c. 36.

Minister of Agriculture and Food.

Provisions deal with the establishment and administration of horticultural societies.

The object of each society is to encourage interest in and improvement of horticulture (a) by holding meetings dealing with the theory and practice of horticulture (b) by encouraging the improvement of private and public grounds (c) by interesting youth and others in the study of horticulture (d) by holding exhibitions and awarding premiums (e) by distribution of horticultural material to create interest (f) by promoting the protection of the environment with appropriate horticultural projects (g) by promoting circulation of horticultural information through all available media.

The number of society members required to qualify for a grant in a territorial district or territorial county is 25 and elsewhere in Ontario 50. Every society is entitled to be affiliated with the Ontario Horticultural Association.

The Act specifies where and how societies may be organized, the membership fees and voting rights of members and the procedure to be followed at annual meetings. The legal requirements regarding dissolution, payment of debts and disposal of surplus monies are outlined. The powers of the Board are described.

Authorization is given to pay provincial grants not exceeding \$1500, \$1,000 or 1,500 for societies with up to 100 members, 200 members and over 200 members respectively.

ONTARIO AGRICULTURAL MUSEUM ACT 1975, S.O. 1975, c. 58.

Minister of Agriculture and Food.

The Minister is responsible for the administration of this Act and his powers are set out in detail. The Ontario Agricultural Museum Advisory Board is continued. The objects of the Museum include the acquisition, preservation, reconstruction and restoration of things of historical or architectural interest used in agricultural or horticultural pursuits in Ontario.

VETERINARIANS ACT, R.S.O. 1970, c. 480.

Incorporates the Ontario Veterinary Association and provides for its direction and management.

The Ontario Veterinary Association is continued as a corporation and every person registered is a member under this Act.

The Act provides for the election of officers, specifies the types of by-laws which the Council of the association may pass and outlines procedure for approval of by-laws. A Board of Examiners is constituted. Eligibility requirements for registration of veterinarians are enumerated. Suspension and cancellation procedures are summarized. The Act also deals with the use of titles such as Veterinary, Veterinarian, Veterinary Surgeon or abbreviations of such, and prohibits the practice of veterinary medicine unless the person concerned is registered with the Association.

VII. CO-OPERATIVES

CO-OPERATIVE CORPORATIONS Act 1973, S.O. 1973, c. 101.

Minister of Consumer and Commercial Relations.

Provides for the incorporation of co-operatives and professional groups, and regulates their procedures.

This Act enables five or more persons or corporations to incorporate a co-operative (including a professional group if not otherwise prohibited). It spells out a procedure for filing articles, the name and location of head office and the powers of a co-operative. It seeks to limit special privileges for directors or employees and to ensure equality for all members in matters of financial concern, e.g. loans and dividends which are called patronage returns. It includes provisions against depletion of capital and limitations on liability of members. It recognizes that some existing co-operatives may not have the requisite board of directors of five members and may not meet the provisions of the new Act in all respects. Appropriate periods of time are allowed for compliance.

CO-OPERATIVE LOANS ACT, R.S.O. 1970, c. 86. Amendments: S.O. 1971, c. 50; 1972 c. 1.

Minister of Agriculture and Food.

Provides for first mortgage loans of up to \$100,000 to be made to agricultural co-operative associations by the Treasurer of Ontario.

The Co-operative Loans Board of Ontario is continued under this Act. A co-operative corporation of producers of farm products, to which Part 5 of the Corporation Act applies and which was incorporated for the purpose of grading, cleaning, packing, storing, drying, processing or marketing farm products, may make a real property loan by applying to the Board. The association must satisfy the Minister that the management and operation of the association will remain in the hands of the producers until the loan is repaid.

The Lieutenant Governor in Council may make a loan to an amount not exceeding fifty percent of the value of the real property on which the loan is to be made, but in no case will a loan be made that would result in a co-operative association's total indebtedness under this Act exceeding \$100,000. Security requirements and loan repayment terms are set out.

The Lieutenant Governor in Council may extend an application under this Act to any corporation to provide cold storage facilities, and to the Ontario Flue-cured Tobacco Growers' Marketing Board. He is empowered to guarantee loans to the co-operative association and may make regulations respecting any matter necessary or advisable to carry out effectively the intent of this Act.

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Provincial Agricultural Legislation Up to 1977 - Ontario

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